

# **Naples City Council**

## **March 24, 2011**

### **Minutes**

The regularly scheduled meeting of the Naples City Council was held March 24, 2011, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

#### ***DATE, TIME & PLACE OF MEETING***

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dan Olsen, and Kenneth Reynolds. Dennis Long was absent.

#### ***COUNCIL MEMBERS ATTENDING***

Others attending were Mike Willoughby, Nick Willoughby, Neil Cathey, Robin O'Driscoll, Taylor Cottles, Hagen Simper, Darrin Brown, Andrew Cox, Jim Harper, Vance King, Connie Patton, Chris Hoem, Craig Blunt and Nikki Kay.

#### ***OTHERS ATTENDING***

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

#### ***OPENING CEREMONY***

Robert Hall **moved** to approve the agenda as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

#### ***AGENDA APPROVED***

Mayor Baker asked for approval of the minutes of March 10, 2011. Dan Olsen **moved** to approve the minutes of March 10, 2011. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

#### ***MINUTES APPROVED***

Councilman Kitchen stated that Neil Cathey with the Recreation District would be in attendance this night to give preliminary cost for a new fence at the Naples ball practice field.

#### ***FOLLOWUP ITEMS FROM PREVIOUS MEETING***

Connie Patton presented the bills in the amount of \$138,104.15 and requested approval to pay them. Councilman Hall asked about the lease payment for the police vehicles. Connie stated that was the amount due for this year according to the lease agreement. Robert Hall **moved** to approve the expenditures in the amount of \$138,104.15. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

#### ***APPROVAL OF THE BILLS***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Court Clerk** - Helen Brunelle submitted a travel request to attend the Court Clerks Conference in Salt Lake City. The travel amount requested was \$367.08. Kenneth Reynolds **moved** to approve \$367.08 for training. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

## ***TRAVEL APPROVAL***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Police Department** - Andrew Cox requested approval to attend a K-9 trainer certification class. Officer Cox said he recently helped train a K-9 for Vernal City. Officer Cox said he would like to become state certified as a K-9 trainer. Officer Cox explained that if he could become certified he could train the dogs and the handlers in this area and help save money by not requiring them to travel anywhere else. Officer Cox said this training would be for the drug/narcotics phase of the training. Officer Cox stated they would be using a donation from Wal-Mart in the amount of \$1,000 for a portion of the training costs. He explained that Vernal City was also willing to pay \$450 toward the cost of this training. Robert Hall **moved** to approve the request of \$1,630 for the training. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Municipal Clerks Conference** - Nikki Kay requested approval to attend the Municipal Clerks Conference in Park City. The travel amount requested was \$555. Dan Olsen **moved** to approve the amount requested. Robert Hall **seconded** the motion. The motion passed with the following

vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Treasurer Department** - Connie Patton requested approval to attend the Utah Treasurers Conference in St. George. The amount requested for travel was \$665.49. Gordon Kitchen **moved** to approve the amount requested. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Flowers for Hwy 40** - Jim Harper asked for approval to purchase flowers for the Hwy. 40 planters. Jim said they would purchase approximately 118 pots at a cost of \$5,074. Dan Olsen **moved** to approve expending the funds for the Hwy. 40 flowers in the amount of \$5,074. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

#### ***PURCHASE APPROVAL***

**1500 South Road** - Jim Harper asked for funds to build up the road on 1500 South east of the Ashley Bridge. Jim told the Council that they will be bringing asphalt from the 2500 South road project and want to lay it on 1500 South. Jim explained that there are not any ditches on that portion of 1500 South and there is no where for the water to drain from the road. He received three bids on what it would cost to build up the road. The low bid was from B.H.I. in the amount of \$14,000. Council members questioned the difference in the bids and wanted to make sure the bid from B.H.I. included everything being considered. Robert Hall **moved** to approve the bid of \$14,000 as long as Jim makes sure the contract for work is what is being bid. Gordon Kitchen

**seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mayor Baker wanted to increase the number of signs at the park listing the regulations for the park. Mayor Baker said with the warm weather more and more people are bringing their dogs to the park and not keeping them on leashes. Mayor Baker asked Neil Cathey with the Recreation District if they could get some more signs placed at the park letting people know there are leash laws at the park. Mr. Cathey said they could work on getting those. Councilman Kitchen wanted to know if the signs should cite the City Ordinance number on them. Mayor Baker said that would be fine as long as the signs were big enough and placed in areas where people could see them as they enter the park.

### ***REGULATORY SIGNS AT CITY PARK***

Vance King with CIVCO Engineering presented draw request #5 for the 2500 South irrigation project. The requested amount included work completed up to the end of last week. The request was for \$104,443.95. Gordon Kitchen **moved** to approve the draw request. Robert Hall **seconded** the motion. The motion passed as follows:

### ***DRAW REQUEST # 5 FOR 2500 SOUTH IRRIGATION PROJECT***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mr. King said the contractor will start forming the box for the irrigation on the 28<sup>th</sup>. He said they are also waiting for a flume to install on the other lateral. Mr. King said the contractor wants to wait on replacing a couple of fences until the road construction is complete. Mr. King said he told the contractor he didn't have a problem with it as long as they didn't leave any livestock fences undone and he asked the Council what their thoughts were. Mayor Baker said it was okay as long as the livestock fences were up. Councilman Hall asked about the contingency expense for the project. Mr. King said it was still looking good.

Mr. King presented the Council with change order #3 for the 2500 South irrigation project. Mr. King said the change order was to place a grate on the inlet structure and for the relocation of a gas line. The cost of the grate was \$3,850 and the cost for the relocation of the line was \$600. The total request of the change order was \$4,450. Kenneth Reynolds **moved** to approve the change order. Dan Olsen **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***CHANGE ORDER #3 FOR  
2500 SOUTH IRRIGATION  
PROJECT***

Craig Blunt asked for Council approval to pay Strata Networks for their work completed on the underground utilities for 2500 South. The total cost submitted by Strata Networks was \$89,912. Councilman Hall wanted to know if Craig had any concerns. Craig said his only concern was making sure the customer service agreement with Strata was signed. Kenneth Reynolds **moved** to approve the \$89,912. Gordon Kitchen **seconded** the motion. The motion passed with the following vote

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***APPROVAL TO PAY  
STRATA NETWORKS FOR  
UNDERGROUND UTILITY***

Mayor Baker asked Craig to update the Council on the utilities. Craig said the main lines of Rocky Mtn Power have been laid and the wires have been pulled. Craig said Rocky Mtn Power will have two road crossings on the west end and they are working with B.H.I. to see about getting that done. Craig said Strata is almost complete with their work and then the conduits will be run to the homes.

Kenneth Reynolds **moved** to open a public hearing to discuss amendments to the fiscal year budget for 2010/2011. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
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***PUBLIC HEARING TO  
OPEN AND AMEND  
BUDGET FOR FY 2010/2011***

Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

The Mayor and Council had discussed budgeting money in the capital project park fund in order to install a fence at the new practice ball field. Mr. Cathey with the Recreation District gave the Council preliminary costs for the fencing. The figures given were for a 6' fence all the way down the foul lines to the outfield. Mr. Cathey also it would be good to consider pouring a cement pad for future dugouts and benches. Craig wanted them to consider putting cement pads for future bleachers and roofs for dugouts. Councilman Kitchen wanted to know if they wanted to do that much for a practice field. Craig asked if they will have a fence in front for protection from foul balls. Mr. Cathey said yes. Craig wanted to know why they didn't finish up with the poles for a dug out and include a roof. Mr. Cathey said that would double the price he quoted them tonight and he also thought this would make the practice field better than the current fields already in place. Mayor Baker thought they should keep it as a practice field, at least for now. Mr. Cathey said the estimate for putting a 16' long, 6' tall fence, concrete pads for the dugouts and a mow strip with the fence would be approximately \$36,000. Councilman Kitchen wanted to know about the portion behind the backstop. Mr. Cathey said they will leave it with the gravel right now. Mayor Baker thanked Mr. Cathey for his time and the information he provided. Councilman Hall asked Mr. Cathey about the girls softball fields. Mr. Cathey stated he would like to see money built into the capital projects fund to re-level the fields with a better infield mix, but it wouldn't be until next year. Mr. Cathey said they have placed the dugouts, fences, and restrooms on the list for this year.

Darrin Brown with Tri-County Health Department was in attendance at the meeting. Due to a mis-communication in scheduling Mr. Brown was not included on the agenda. Mayor Baker gave Mr. Brown some time to discuss his business with the Council. Mr. Brown wanted the Council to know that Tri-County Health Department has a certified water lab. He said he was trying to get business for the lab in order to keep it open. Mr. Brown told the Council that their lab is qualified to test for bacteria, chloroform test, and plate count for chloroform. Councilman Hall said the City doesn't have City water and Ashley Valley Water takes care of all that. Mr.

***COMMENTS FROM  
DARRIN BROWN WITH  
TRI-COUNTY HEALTH***

Brown said sometimes the City has to replace lines and they have to disinfect them and send in samples. Mr. Brown said Ashley Valley is starting to send them samples. Mr. Brown said they also do some private testing. Chris Hoem asked what the cost for those were. Mr. Brown said those cost \$15. Chris wanted to know if the test results would be understandable to the private citizen. Mr. Brown said you would need some understanding of the items they test for. Councilman Hall wanted to know if they could test well water. Mr. Brown said it is mostly for culinary water but they can send out any samples they receive. Mayor Baker thanked Mr. Brown for coming and sharing that information.

Mayor Baker asked the scouts in attendance if they had any questions. One of the scouts asked Mayor Baker if there were any plans for soccer fields. Councilman Kitchen said that was a better question for the Recreation District. He did explain some of the upgrades they would be doing on the KOA soccer fields. Councilman Kitchen said there are also plans to install some near the Rec Center in the future.

With no other comments from the public, Dan Olsen **moved** to close the public hearing. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Craig Blunt discussed the need for becoming a part of the National Flood Insurance Program. Craig said the City has the responsibility to let people know, when they are building in the City, that they are in a flood plain. Craig said he checked into the National Flood Insurance Program to try and help mitigate the cost for homeowner's insurance for those who do build in a flood plain. Craig said there shouldn't be a cost to the City for participating. Craig said a copy of the Ordinance is currently with the City Attorney but he has not heard back from him. Gordon Kitchen **moved** to accept Ordinance 11-129 as a first reading. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***ORDINANCE 11-129  
DEFINING NATIONAL  
FLOOD INSURANCE  
PROGRAM***

Craig presented Resolution 11-235 to the Council as part of the National Flood Insurance Program. Craig said he placed

***RESOLUTION 11-235***

items in the Resolution that would require FEMA to provide certain things to the City as the City sets up certain control measures to reduce future flood losses. Kenneth Reynolds **moved** to accept Resolution 11-235 as a first reading. Gordon Kitchen **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt asked the Council to consider projects they would like to apply for with the Uintah Transportation Special Service District (UTSSD). Craig said the applications are due back to the County by Monday. Craig said he sat down with Jim Harper to discuss any projects and they decided they would like to apply for 1300 East from 1000 South to 1200 South and also 1100 South from 1300 East to 1500 East. Craig said these roads were built in 1980 and not built to the current standards required by the City for roads. Craig said he did not include a cost share to the City on the application but said the City could consider covering the Engineer's cost for the project which would be about \$75,000. Craig said he would like to take the road down to the sub-base, replace that and build it back up. Craig said he would like to also install a couple of catch basins. Councilman Hall believed it would be worth trying for. Dan Olsen **moved** to execute this application with the UTSSD. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

***U I N T A H  
T R A N S P O R T A T I O N  
S P E C I A L S E R V I C E  
D I S T R I C T P R O J E C T  
A P P L I C A T I O N***

Craig Blunt said there are a few items in the City that need to be sold. Craig said they would like to surplus the old City Planner's car, the old Jimmy from the Fire Department, the Polaris Ranger, and the front end loader that was on the tractor. Craig said the Council could consider advertising the items on a web site or placing them with ZJ Auction. Craig thought these items would go better if sold at the auction. Dan Olsen **moved** to dispose of the City property as presented by Craig and to take them to ZJ Auction. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***R E Q U E S T T O S U R P L U S  
P R O P E R T Y***

Dan Olsen **moved** to go into closed session for discussion of property acquisition. Robert Hall **seconded** the motion. The motion passed with the following vote:

***M O T I O N T O M O V E I N T O  
C L O S E D S E S S I O N F O R  
D I S C U S S I O N O F***



## ***PROPERTY ACQUISITION***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Those present in closed session were Mayor Baker, Council members Robert Hall, Gordon Kitchen, Dan Olsen, and Kenneth Reynolds. Craig Blunt and Nikki Kay were also present.

Kenneth Reynolds **moved** to reconvene back into regular session. Robert Hall **seconded** the motion. The motion passed with all voting aye.

## ***MOTION TO RECONVENE BACK INTO REGULAR SESSION***

Nikki Kay asked Council if they would consider transferring funds in the budget to purchase a new version of Caselle software. Nikki said the new software would run the transparency reports required by the state and she also believed that in a few more years Caselle would no longer support the older version. Councilman Hall recommended getting a new laptop in the Council room along with the new software. A discussion was held about transferring money from the capital project park fund to the capital project road fund to help with the drainage issues on 1900 South. Council members also discussed budgeting funds for ball diamond and park improvements in the capital project park fund. Nikki Kay reported that overtime funds were spent in the police department that have since been reimbursed from other agencies and she would like to move those funds back to the police overtime budget. Craig Blunt also recommended transferring \$200,000 from the general fund to capital project roads to be used for drainage projects.

## ***ORDINANCE 11-236 AMENDMENTS TO FY 2010/2011 BUDGETS***

These were the amounts discussed for budgeting and transfers:

\$15,000 for software and laptop computer

\$100,000 into capital projects roads from capital project park fund

\$36,000 for ball diamond improvements

\$44,000 for park improvements

\$6,931 transfer to police department overtime

\$200,000 transfer from general fund to capital project  
roads for drainage

After the discussion Robert Hall **moved** to approve Resolution 11-236 with the amended budget items as discussed. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mayor Baker wanted Council members to know that Hwy. 40 has been placed on UDOT's project list for 2012. He said UDOT will be resurfacing the Highway.

***OTHER MATTERS***

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 9:30 p.m. Gordon Kitchen **seconded** the motion. The meeting was adjourned.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 14<sup>th</sup> DAY OF APRIL 2011

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_